

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MIDLAND RESOURCES, LLC,

Plaintiff,

vs.

**IOWA MUTUAL INSURANCE
COMPANY,**

Defendant.

8:21CV178

**SECOND AMENDED
CASE PROGRESSION ORDER**

This matter is before the Court on Plaintiff's Unopposed Motion to Amend Case Progression Order ([Filing No. 27](#)). After review of the motion, and for good cause shown,

IT IS ORDERED that Plaintiff's Unopposed Motion to Amend Case Progression Order ([Filing No. 27](#)) is granted, and the case progression order is amended as follows:

- 1) The deadline for completing written discovery under Rules 33, 34, 36, and 45 of the Federal Rules of Civil Procedure is **February 1, 2022**. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by **February 15, 2022**.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

- 2) The deadline for defendant to move to amend pleadings or add parties is **February 15, 2022**.
- 3) The deadlines for identifying expert witnesses and completing expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff:	April 1, 2022
For the defendant:	June 29, 2022
For rebuttal:	July 20, 2022

- 4) The planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings is scheduled with the undersigned magistrate judge on **August 5, 2022**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.

- 5) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **October 28, 2022**.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **November 29, 2022**.
- 7) The deadline for filing motions to dismiss and motions for summary judgment is **November 29, 2022**.
- 8) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 9) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 4th day of February, 2022.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge